

State of Nevada Approved Records Retention and Disposition Schedule

Attorney General's Office

Schedule ID # AG

Version Date: 1/16/2019

This version supersedes all previous versions.

2017045 Background Check and Fingerprints

Description: This record series is used for criminal background checks for Attorney General's employees, state employees that are not employees of the Attorney General's office, and various outside vendors, to allow building access while performing work for the Department (NRS 239B.010). The files may consist of but are not limited to: background applications, Applicant Fingerprint Response with related notes and documents.

Retention: Retain for three (3) calendar years from the end of the calendar year in which the background investigation was completed.

Disposition: Destroy Securely

2018026 Background Check and Fingerprints – Sworn Officer and Information Technology Personnel

Description: This record series is used for criminal background checks for sworn officers (NRS 239B.020 and NAC 289.110) and Information Technology personnel. The files consist of but are not limited to: background applications, Applicant Fingerprint Response with related notes and documents.

Retention: Retain for three (3) calendar years from the end of the calendar year in which the employee leaves the agency.

Disposition: Destroy Securely

2018001 Bureau of Consumer Protection Case Files

Description: This record series is used to document deceptive trade, antitrust, Nevada Public Utilities Commission, and Federal Energy Regulatory Commission matters handled by the Bureau of Consumer Protection (See NRS Chapters 228, 598, and 598A). The record series may contain but is not limited to: documentation of court and administrative proceedings, internal legal notes and drafts, confidential records collected from third parties, and related materials.

Retention: Retain for two (2) calendar years from the end of the calendar year in which the final action of the case or investigation occurred.

Disposition: Destroy Securely

1993192 Charitable Trusts

Description: This record series consists of trusts which have a public beneficiary. All documents which a beneficiary is entitled to receive are sent to the Attorney General in accordance with NRS 165.230. Tax returns and other financial records of public foundations and organizations, as well as documents containing information on grants made by a public foundation or trust may also be filed here. The files may also contain inquiries (letters from individuals requesting information), file copies of advisory form letters sent in response to inquiries and related correspondence.

Retention: Retain files for a period of three (3) calendar years and then dispose in an ordinary manner. Files used in litigation to which the Attorney General or the state is a part (see NRS 228.160) falls under the retention requirements of RDA# 90-150.

Disposition: Destroy

2009004 Extradition Claims Files

Description: These records document and administer the payment of claims to transport extradited individuals (See the Criminal Extradition Uniform Act, NRS 179.177 et seq.). These records are directly related to the Restitution Project Files. The record may contain, but is not limited to: Invoices from law enforcement agencies with supportive material; Travel claims with supportive materials; Copies of criminal justice records and; Related correspondence

Retention: Retain these records for a period of twenty (20) calendar years from the end of the calendar year to which they pertain.

Disposition: Destroy Securely

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1990112 Extradition Detainer Case Files

Description: These records are used to document and administer cases when a detainer has been lodged against a person currently serving a state or federal sentence (See the Agreement on Detainers Act, NRS 178.620 et seq.). The record may contain, but is not limited to: Waivers and other forms; Copies of criminal justice records and; Related correspondence

Retention: Retain these records for a period of three (3) calendar years from the date the file is closed.

Disposition: Destroy Securely

2009005 Extradition Restitution Project Files

Description: These records document and administer the process to collect unpaid costs associated with extraditions (See the Criminal Extradition Uniform Act, NRS 179.177 et seq.). These records are directly related to the Extradition Claims Files. The record may contain, but is not limited to: Notice of Uncollected Restitution (Parole and Probation Division) with supportive material; Copies of court documents; Copies of Extradition Claims records; Copies of criminal justice records and; Related correspondence

Retention: Retain these records for a period of three (3) fiscal years from the date the file was closed.

Disposition: Destroy Securely

1999068 Investigation Files

Description: These records document the investigations conducted or referred for consideration of possible legal action. This includes both civil and criminal actions. The files may contain, but are not limited to: Investigative reports with associated documentation; Complaints with related documentation; Related correspondence and; Similar documents

Retention: Retain these records for a period of four (4) calendar years from the date the investigation was closed or discontinued.

Disposition: Destroy Securely

2017003 Legal Case Files - Historical

Description: This record series documents the civil cases and petitions for judicial review wherein the State or any officer of the State in his or her official capacity is a party (see NRS 228.160(1)(a)) and which have historical and/or archival value. This record series also may include misdemeanor and gross misdemeanor prosecutions brought by the Attorney General (see NRS 228.160(1)(b)) and which have historical and/or archival value. Case types can include but are not limited to: water rights, tribal, mining, grazing rights, and nuclear cases that went before the Supreme Court or other appellate courts, historic habeas proceedings, historic misdemeanor prosecutions, and any precedent setting decisions. The file may contain but is not limited to: court filings, court documents and orders, internal and attorney notes, petitions, motions, law enforcement records, court records, supportive documentation, extraditions, depositions, interviews, discovery and discovery responses, general correspondence, and similar documents.

Retention: Retain for seven (7) calendar years from the end of the calendar year of the date in which the final disposition was made.

Disposition: Permanent: Transfer to State Archives

1998001 Legal Case Files: Felony Criminal

Description: This record series documents the felony criminal cases wherein the Attorney General is the principal prosecuting attorney (see NRS 228.160(1)(b)), and includes state prison escapes, felony crimes committed in a state prison, and felony criminal cases prosecuted by the Attorney General pursuant to the prosecution provided to the Attorney General in NRS Chapter 228. This series includes both felony conviction cases and cases that where it was initially charged as a felony and there is no conviction, and/or the case is dismissed. The file may contain but is not limited to: court filings, court documents and orders, internal and attorney notes, petitions, motions, law enforcement records, court records, supportive documentation, extraditions, depositions, interviews, discovery and discovery responses, general correspondence, and similar documents

Retention: Retain for seven (7) calendar years from the end of the calendar year in which final the disposition or last action was made.

Disposition: Permanent: Transfer to State Archives

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1990150 Legal Case Files: Misdemeanor Criminal, Gross Misdemeanor Criminal, Civil, and Petitions for Judicial

Description: This record series documents the criminal misdemeanor and gross misdemeanor cases prosecuted by the Attorney General pursuant to NRS 228.160(1)(b). This record series also documents the civil cases and petitions for judicial review, wherein the State or any officer of the State in his or her official capacity is a party (see NRS 228.160(1)(a)). This series includes both misdemeanor or gross misdemeanor conviction cases and cases that where it was initially charged as a misdemeanor or gross misdemeanor and there is no conviction, and/or the case is dismissed. The file may contain, but is not limited to, court filings, court documents and orders, general correspondence, internal and attorney notes, petitions, motions, law enforcement records, court records, supportive documentation, extraditions, depositions, interviews, discovery and discovery responses, and similar documents. Legal case files for misdemeanor criminal, gross misdemeanor criminal, civil, and petitions for judicial review that are of historic and/or archival value should be retained and disposed of in accordance with RDA 2017003.

Retention: Retain for seven (7) calendar years from the end of the calendar year of the in which the final disposition was made.

Disposition: Destroy Securely

2008044 Nevada Identity Theft Program Files

Description: The Nevada Identity Theft Program Card is not an identification card but provides victims with a way to show law enforcement and creditors that their identity has been stolen. Identity theft victims wishing to receive a program card must file a police report with their local law enforcement agency regarding the theft of their identity and request a Nevada Identity Theft Program Preliminary Application. Once a police report is filed the victim is given a program brochure which includes a preliminary application and gives step by step instructions on obtaining a program card. It helps in the process of repairing a victim's credit and identifying fraudulent criminal activity. The record may contain but is not limited to: A copy of the police report filed with a law enforcement agency documenting that the individual is a victim of identity theft; Preliminary Identity Theft Program Application; Denial letter (if applicable); Activation letter; Program card non-activation follow-up letter and; Electronic database form

Retention: Retain these records for a period of seven (7) calendar years from the expiration or renewal of the program card.

Disposition: Destroy Securely

1999069 Open Meeting Law Complaint Files

Description: This record series documents the investigations conducted or referred for consideration of possible legal action specifically dealing with violations of the Open Meeting Law in NRS Chapter 241. The files may consist of: investigative reports, complaints (forms and original letters), copies of news media articles, copies of meeting minutes & agendas, tapes of meetings, related correspondence, a determination of failure to state a claim under NRS Chapter 241, and similar documents.

Retention: Retain for four (4) calendar years from the date the investigation was finalized or discontinued.

Disposition: Destroy Securely

2016031 Open Meeting Law Opinions

Description: This record series documents the final action taken on investigations conducted or referred for consideration of possible legal action specifically dealing with violations of the Open Meeting Law in NRS Chapter 241. The files consist of the opinion, which includes a determination of no violation or findings of fact and conclusions of law under NRS Chapter 241.

Retention: Retain for four (4) calendar years from the end of the calendar year in which final opinion was given.

Disposition: Permanent: Transfer to State Archives

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2017004 Report of Multiple Sale or Other Disposition of Pistols and Revolvers

Description: This record series is used by licensees to report all transactions in which an unlicensed person acquired two or more pistols or revolvers or any combination of pistols or revolvers totaling two or more at one time during five consecutive business days. In accordance with 18 USC 923(g)(3)(A), licensees are required by federal law to send ATF form 3310.4 to the Office of the Attorney General. The record may contain but is not limited to: the form and any record of the contents thereof.

Retention: Retain for no more than twenty (20) days from the date the form is received.

Disposition: Destroy Securely

2017001 Request for Opinion – Legal Opinions

Description: This record series documents Attorney General Opinions and letters of advice (NRS 228.150). This series may include but is not limited to: requests for opinions, informal or formal opinions, letters of advice, related correspondence and similar documents.

Retention: Retain for four (4) calendar years from the end of the calendar year in which the opinion was dated.

Disposition: Permanent: Transfer to State Archives

2017002 Request for Opinion – No Opinion Issued

Description: This record series documents requests for Attorney General Opinions and letters of advice but no opinion or letter of advice was issued (NRS 228.150). This series may include but is not limited to: requests for opinions, related correspondence and similar documents.

Retention: Retain for one (1) calendar year from the end of the calendar year in which the request was dated.

Disposition: Destroy Securely

1990113 Waiver of Extradition Proceedings Files

Description: These records are used to document the waiver of procedures required for extradition (See the Criminal Extradition Uniform Act, NRS 179.177 et seq.). The record may contain, but is not limited to: Waivers and other forms (including notifications); Copies of criminal justice records and; Related correspondence

Retention: Retain these records for a period of two (2) calendar years from the date the file is closed.

Disposition: Destroy Securely